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*Attorneys for Defendant GHOSTBED, INC., a Delaware corporation*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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PURPLE INNOVATION, LLC, a Delaware  
limited liability company,

Plaintiff,

vs.

HONEST REVIEWS, LLC, a Florida  
corporation, RYAN MONAHAN, an  
individual, and GHOSTBED, INC., a  
Delaware corporation,

Defendants.

**DECLARATION  
OF JULIETTE WHITE**

Case No. 2:17-cv-00138-DB

The Honorable Dee Benson

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I, JULIETTE P. WHITE, hereby declare as follows:

1. I am an attorney at law licensed in good standing in the States of Utah. I am a shareholder with the law firm of Parsons Behle & Latimer, and I am one of the attorneys of record for defendant GhostBed, Inc. (“GhostBed”) in this action.

2. I am over the age of 21 and competent to testify as to the matters set forth herein. The facts set forth herein are based upon my personal knowledge or upon records reviewed by me or by an employee of Parsons Behle & Latimer acting under my supervision and direction.

3. I submit this declaration in support of defendant GhostBed, Inc.’s opposition to plaintiff’s motion for sanctions.

4. Attached as **Exhibit 1** is a true and correct copy of selected excerpts from the preliminary injunction hearing transcript.

5. At the hearing, counsel for plaintiff Purple, Inc. (“Purple”) proffered and relied on a PDF document that they created and marked as Exhibit 195, a 49-page table with a control number at the bottom of the page of ACH-4571, and which was included in Purple’s exhibit binders. Ex. 1, Tr. at 62:8-13. Attached as **Exhibit 2** is a true and correct copy of Exhibit 195 from the hearing.

6. At the hearing, counsel for Purple represented to defendants’ counsel and to the Court that Exhibit 195 was “a document that we obtained from Achieve” Agency (“Achieve”). Specifically, counsel for Purple showed Exhibit 195 to Mr. Monahan at the hearing, and then stated the following:

8 Q. I want to show you a document that we obtained from  
9 Achieve. It is a large spreadsheet. So Exhibit 195 is a  
10 P.D.F. In the binder it is 195-A. It will either be a disk  
11 or a zip drive that has the original. Down in the bottom  
12 left-hand corner here we have the Achieve control number,  
13 which is ACH-4571. Let me see if any of this refreshes your  
14 recollection as to what Achieve does.

Ex. 1, Tr. 62:8-14.

7. Counsel for Purple also represented that Exhibit 195 “comprised” information from a native Excel spreadsheet produced by Achieve. Ex. 1, Tr. at 125:23-25. Based on Purple’s representation that this was a document produced by third-party Achieve, this Court overruled GhostBed’s objection to the exhibit. Ex. 1, Tr. at 63:1-9; *see also* 124:7-9.

8. It is my understanding from the hearing transcript and co-counsel for GhostBed that the native Excel spreadsheet produced by Achieve, with the file name “Results.csv,” was available on a CD-ROM the hearing. The native spreadsheet contains approximately 28,651 rows of data spanning 30 columns. However, Purple’s Exhibit 195 contains around 235 emails, far fewer than in the native Excel spreadsheet. In its Exhibit List for the hearing, Purple titled Exhibit 195 as “Achieve Email Log” and Exhibit 195A as “Achieve Email Log in Digital Format,” as though they contained the same information in two different forms, PDF and digital.

#### **Exhibit 195 Contains False Information**

9. Purple’s Exhibit 195 PDF contains information from over 235 emails, all of which purport to show that one or more individuals at GhostBed or Nature’s Sleep were copied on certain

emails about Honest Mattress Reviews that were sent to Monahan at his Achieve account, as indicated in the “Recipients in Cc line” column of the exhibit. *See generally* Ex. 2.

10. However, when one examines the corresponding entry for each of those emails in the original native Excel spreadsheet from Achieve, it is immediately apparent that Exhibit 195 doesn’t match the source document. The original native Excel spreadsheet that Purple used to create Exhibit 195 does not indicate that that anyone at GhostBed or Nature’s Sleep was copied on the emails in Exhibit 195. In fact, the Excel spreadsheet shows that no one was copied on those emails at all.

11. To confirm that no one from GhostBed or Nature’s Sleep was ever copied on the emails from Exhibit 195, I worked with a paralegal at my firm to locate and review the content and metadata from the native emails produced by Achieve for each of the over 235 emails referenced in Exhibit 195. We have confirmed that the information in the Excel spreadsheet is consistent with the underlying native emails themselves, and that both of these source documents show that no one from GhostBed or Nature’s Sleep was ever copied on any of the over 235 emails in Purple’s Exhibit 195.

12. We reviewed all of the corresponding entries in the original native Excel spreadsheet, including in particular Columns L and M. Columns L and M reflect the “Recipients in Cc line” and “Recipients in Bcc line,” as shown in the following image excerpt from the first row of the original native Excel spreadsheet.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	ExportItem Id	Item Identity	Document ID	Selected	Duplicate to Item	Original Path	Location	Location Name	Subject or Title	Sender or Created by	Recipients in To line	Recipients in Cc line	Recipients in Bcc line	To – Expanded
2		Exchange	0											

13. Attached as **Exhibit 3** titled “Comparison of Purple’s Exhibit 195 with Corresponding Achieve Native Spreadsheet and Emails” is a true and correct copy of a comparison exhibit that, for each row in Purple’s Exhibit 195, shows a comparison of (1) each row excerpted in Exhibit 195 (with the “Recipients in Cc line” column highlighted), (2) the corresponding row in the original spreadsheet (with columns L, M, and N highlighted), and (3) a screen shot of the original native email produced by Achieve. This comparison was created by co-counsel for GhostBed and myself, and every image in the exhibit has been reviewed and confirmed by me and/or my paralegal at my direction.

14. Based on the foregoing, the representation that Purple’s counsel made at the hearing to counsel, witnesses, and the Court that Exhibit 195 was comprised of accurate information from Achieve’s original native Excel spreadsheet was incorrect.

**Specific Examples of False Information in Exhibit 195**

15. Below are two examples showing the false information in Exhibit 195. These examples are representative in nature and are set forth purely for illustrative purposes. As explained above, all of the entries in Exhibit 195 contain the same factual errors.

**Example 1: The “Steve Herger” Email - Exhibit 195.2**

16. Purple’s counsel cross-examined Mr. Monahan and Mr. Werner regarding an email about an individual named “Steve Hergert,” which comprises a notification sent to Mr. Monahan after “Steve Hergert” commenting on a link Honest Mattress Reviews shared on its Facebook page. Ex. 1, Tr. 62:15-18; 124:14-22. Under the column header “Recipients in Cc line,” Exhibit 195 lists eight email addresses, including those of GhostBed’s Alan Hirschhorn and Ashley Werner, and individuals at Achieve and Big Couch Media:

Recipients in Cc line
Joshua Miller <joshua@c-istudios.com>, Abbie Cessna <abbie@c-istudios.com>, Cynthia Howland <chowland@achieveagency.com>, Ryan Monahan <rmonahan@achieveagency.com>, Alan Hirschhorn <alan@naturesleep.com>, Georgianne Brown <georgianne.brown@bigcouchmedia.com>, William Bertoldi <wbertoldi@achieveagency.com>, Ashley Werner <Ashley@NaturesSleep.com>

17. In the original native Excel spreadsheet, this email is shown in row 7916. That entry contains no email addresses entered in the “Recipients in Cc line” column or any similar column containing “cc” or “bcc” data (Columns “L” (highlighted in yellow below) and “M”):


	A	B	C	D	E	F	G	H	I	J	K	L	M
						rmonaha n@achie veagency .com, Primary, 8409356b -a064- 4b3e- 8810- 838794bc b84b/rm rmonaha onahan@n@achie achievea veagency.co .com, m Primary, (Primary) 8409356b \Top of -a064- Informati 4b3e- on 8810- Store\Arc 838794bc hive b84b .com			Steve Hergert comment Facebook ed on a link <update+ zj4t2y4s csc@face bookmail				
7916 1478E ==	E70465A86 28CA00E91 BA817CFFC	LnNtJjXm Kc+8AAAF gGeWIAA JY/rTE10it		4.02E+12									

18. Similarly, the actual email, as produced by Achieve as Achieve\_0000136908, shows that it was not copied to anyone at GhostBed, as shown in the image below:

**From:** Facebook **Sent:** Wed 10/19/2016 8:59:57 PM  
**To:** Ryan Monahan[rmonahan@achieveagency.com]  
**Subject:** Steve Hergert commented on a link Honest Mattress Reviews shared.



 [Facebook](#)

[Steve Hergert](#) commented on a [link Honest Mattress Reviews](#) shared.



**Steve Hergert**

October 19 at 8:59pm

 [Like](#)
 [Comment](#)

[View on Facebook](#)

Reply to this email to comment on this post.

This message was sent to [ryan.monahan@bigcouchmedia.com](mailto:ryan.monahan@bigcouchmedia.com). If you don't want to receive these emails from Facebook in the future, please [unsubscribe](#).  
 Facebook, Inc., Attention: Community Support, Menlo Park, CA 94025

19. The metadata produced with the e-mail corroborates that no one GhostBed, or anyone for that matter, was copied on the email, as shown below:

Email Metadata	
Email From:	Facebook [update+zj4zt2y4scsc@facebookmail.com]
Email To:	Ryan Monahan [rmonahan@achieveagency.com]
Email CC:	
Email BCC:	
Received Date/Time:	10/19/2016 9:00 PM
Sent Date/Time:	10/19/2016 8:59 PM
Number of Attachments:	0
Delivery Receipt Requested:	<input type="checkbox"/>
Conversation Index:	0101D22A6D4930D9D83637698B4384A297FCD70D5C97

Example 2: The “Mattress Firm” Email - Exhibit 195.3.

20. Mr. Monahan was cross-examined regarding this email at the hearing. Exhibit 1, Tr. 65:4-6. Exhibit 195 incorrectly shows that Werner was copied on that email:

Subject or Title	Received or Created	Summary	Recipients in Cc line
MFRM/Honest Reviews Touchbase	3/3/2017 16:09	<p>Organizer: G'Nai Blakemore Attendees: Honest Mattress Reviews</p> <p>-- Do not delete or change any of the following text. --</p> <p>Join WebEx meeting&lt;<a href="https://mfrm.webex.com/mfrm/j.php?MTID=mfce3cece6b5676447dde41b4bcda3bda">https://mfrm.webex.com/mfrm/j.php?MTID=mfce3cece6b5676447dde41b4bcda3bda</a>&gt; Meeting number (access code): 577 768 3</p>	Marc Werner <Marc@NaturesSleep.com>

21. However, in the original native Excel spreadsheet, this calendar entry, appearing at row 2068, contains no email addresses listed in the “cc” column (Column “L” highlighted in yellow) or “bcc” column (Column “M”):

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC
						rmonaha																						r:G'Nai Blakemor e Attendee s: Honest Mattress Reviews	
						n@achie																							
						veagency																							
						.com,																							
						Primary,																							
						8409356b																							
						-a064-																							
						4b3e-																							
						8810-																							
		AAAAA0																											
		9/5AK0E																											
		vNCSKA7																											
		ICSLAJ7																											
		ICSLAJ7																											
		/rE10tL																											
		nNjUXM																											
		KVH8AA																											
		AAAOQA																											
		487D349 A/I/rE10																											
		E37F92B4 ILnNjUK																											
		1537E878 MxH8AA																											
		11DA520 KV9HQa																											
		4.02E+12																											
		AAAAAA																											

22. The actual calendar invitation as produced by Achieve as Achieve\_0000147452 shows that no one is copied:



**From:** Ryan Monahan  
**Subject:** MFRM/Honest Reviews Touchbase  
**Location:** WebEx Below  
**Start Time:** Fri 3/3/2017 4:45:00 PM  
**End Time:** Fri 3/3/2017 5:15:00 PM

**Importance:** Normal

Organizer: G'Nai Blakemore  
Attendees: Honest Mattress Reviews

-- Do not delete or change any of the following text --

Join WebEx  
meeting<<https://mfrm.webex.com/mfrm/j.php?MTID=mfce3cece6b5676447dde41b4bcda3bda>>  
Meeting number (access code): 577 768 324

Join from a video system or application  
Dial 577768324@mfrm.webex.com<sp:577768324@mfrm.webex.com>

Join by phone  
+1-650-479-3211 USA Toll  
+27-11062-3005 South Africa Toll  
Global call-in  
numbers<<https://mfrm.webex.com/mfrm/globalcallin.php?serviceType=MC&ED=512464862&tollFree=0>>

Can't join the meeting?<<https://help.webex.com/docs/DOC-5412>>

If you are a host, go  
here<<https://mfrm.webex.com/mfrm/j.php?MTID=m3fdceae47d41772bcac2d9774c49037d>> to view host  
information.

IMPORTANT NOTICE: Please note that this WebEx service allows audio and other information sent during the session to be recorded, which may be discoverable in a legal matter. By joining this session, you automatically consent to such recordings. If you do not consent to being recorded, discuss your concerns with the host or do not join the session.

"This electronic mail (including any attachments) may contain information that is privileged, confidential, and/or otherwise protected from disclosure to anyone other than its intended recipient(s). Any dissemination or use of this electronic mail or its contents (including any attachments) by persons other than the intended recipient(s) is strictly prohibited. If you have received this message in error, please notify us immediately by reply email so that we may correct our internal records. Please then delete the original message (including any attachments) in its entirety. Thank you."

UID:  
040000008200E00074C5B7101A82E0080000000060640CCB0594D20100000000000000010000000020  
BE351B84028145873D099E69A91838

23. And, the metadata associated with the calendar invitation shows that no one was copied or blind copied:

#### Email Metadata

Email From:	Ryan Monahan [rmonahan@achieveagency.com]
Email To:	
Email CC:	
Email BCC:	
Received Date/Time:	3/3/2017 11:09 AM
Sent Date/Time:	3/3/2017 11:09 AM
Number of Attachments:	0
Delivery Receipt Requested:	<input type="checkbox"/>
Conversation Index:	01D294387897914DAE5DF35A0441AD8A70518C5CEC12

Example 3: “Jessica Noel” Email - Exhibit 195.10

24. Mr. Monahan was cross-examined regarding this email at the hearing. Exhibit 1, Tr. 66:14-16. Exhibit 195 incorrectly shows that Mr. Werner and many others at Nature's Sleep were copied on that email (red box added):

Subject or Title	Received or Created	Summary	Recipients in Cc line
Jessica Noel commented on Honest Mattress Reviews's Honest Community Support album.	3/28/2017 15:29	<p>Jessica Noel wrote: "Glad I saw this. Was about to order a Purple mattress but now I'm thinking a ghost bed is better (do you have reviews on that)" - Reply to this email to comment on this post.</p> <p>Facebook</p>	<p>Georgianne Brown            &lt;georgianne.brown@bigcouchmedia.com&gt;, Cynthia Howland            &lt;chowland@achieveagency.com&gt;, Marc Werner            &lt;marc@naturessleep.com&gt;, Ashley Werner            &lt;ashley@naturessleep.com&gt;, Alan Hirschhorn            &lt;alan@naturessleep.com&gt;, Jeff Grolig            &lt;jgrolig@naturessleep.com&gt;, Carol Crisafulli            &lt;carol@naturessleep.com&gt;, Melissa Elache            &lt;melahe@naturessleep.com&gt;, LaWanna McDonald            &lt;lmcdonald@naturessleep.com&gt;, Alecia McKenzie            &lt;amckenzie@naturessleep.com&gt;, Samantha James            &lt;sjames@naturessleep.com&gt;, Puja Parmar            &lt;pparmar@naturessleep.com&gt;, Margo Bercun            &lt;mbercun@naturessleep.com&gt;, Wendy Jones            &lt;wendyjones@naturessleep.com&gt;</p>

25. However, the original native spreadsheet shows no e-mail addresses in the “cc” (highlighted in yellow) or “bcc” columns in row 6150:

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC
					rmonaha																							Noel wrote: "Glad I saw this. Was about to order a Purple mattress but now I'm thinking a ghost bed is better (do you have reviews on that)?" - Reply to this email to comment on this post.
					n@achie																							
					veagency																							
					.com,																							
					Primary,																							
					94091560																							
					-a064-																							
					4b3e-																							
					8E10-																							
	AAAAAJ0				83E794bc			Jessica																				
	h5akUE				b4d0ym	rmonaha																						
	v05KAP7				o7ahan@	n@achie		comment																				
	5d5HAJY				achieve	veagency		ed on																				
	/rE1oITL				gency.co	.com,		Honest																				
	nNjXJM				m	Primary,		Mattress		Facebook Ryan																		
	Kv4AA				(Primary)	94091560		Reviews"		Monahan																		
	plytIAJ				\Top of	-a064-		s Honest		update"																		
	CC82180	Y/rE1oIT			Informati	4b3e-		rmonaha	Commun	z4t2y4s	-rmonah																	
	3650E228	LnNjXJM			on	8E10-		n@achie	ity	cc6cfac	an@achi																	
	11F9AC64	Kv4AA			Store/Chu	veagency	Support	boomail	evagenc																			
	CC796668	M2m5A			tter	b4d0	.com	album.	.com	y.com																		
6150	1	AA==	4.02E+12														*****	FALSE	Normal	FALSE		Message	*****			64.24		


26. Achieve produced the Facebook comment from Ms. Noel as Achieve\_0000144496.

It shows that no one was copied on that email as excerpted below:



**From:** Facebook **Sent:** Tue 3/28/2017 11:29:16 AM  
**To:** Ryan Monahan[rmonahan@achieveagency.com]  
**Subject:** Jessica Noel commented on Honest Mattress Reviews's Honest Community Support album.

 [Facebook](#)

[Jessica Noel](#) commented on [Honest Mattress Reviews's Honest Community Support](#) album.

 **Jessica Noel**  
March 28 at 11:29am

Glad I saw this. Was about to order a Purple mattress but now I'm thinking a ghost bed is better (do you have reviews on that)

 [Like](#)  [Comment](#)

[View on Facebook](#)

Reply to this email to comment on this post.

This message was sent to [ryan.monahan@bigcouchmedia.com](mailto:ryan.monahan@bigcouchmedia.com). If you don't want to receive these emails from Facebook in the future, please [unsubscribe](#).  
Facebook, Inc., Attention: Community Support, 1 Hacker Way, Menlo Park, CA 94025

27. And, the metadata associated with the notification also shows that no one was copied or blind copied on it:

Email Metadata	
Email From:	Facebook [update+zj4zt2y4scsc@facebookmail.com]
Email To:	Ryan Monahan [rmonahan@achieveagency.com]
Email CC:	
Email BCC:	
Received Date/Time:	3/28/2017 11:29 AM
Sent Date/Time:	3/28/2017 11:29 AM
Number of Attachments:	0
Delivery Receipt Requested:	<input type="checkbox"/>
Conversation Index:	0101D2A7D813A5D9CE0A5973184183685477E5543F8E

### **Purple's Reliance Upon, and Representations Concerning, Exhibit 195**

28. Counsel for Purple relied upon Exhibit 195 at the hearing in an attempt to establish a direct line of communication between GhostBed and Honest Mattress Reviews. Specifically, counsel asserted that Mr. Monahan and Mr. Werner were “regularly notified about negative Purple comments that arise from the H.M.R. website,” and that Achieve would “track these comments and send e-mail notices to [Mr. Monahan] and Ghostbed and Mr. Werner.” Ex. 1, Tr. at 62:1-6. Counsel also relied on Exhibit 195 at the hearing in an effort to prove that Mr. Werner would “receive e-mails through the Achieve system on various topics,” such as comments made on the Honest Mattress Review’s Facebook page. Ex. 1, Tr. at 125:3-5.

29. Counsel for Purple questioned Mr. Monahan at some length about entries in Exhibit 195, representing that each entry summarized an e-mail in Achieve’s possession. Sometimes, the entries were enlarged and included in Exhibit 195 on separate pages. *See, e.g.*, Ex. 2 at 195.2; 195.3; 195.10. Purple referred to these enlargements in Exhibit 195 as “Expanded View of Page [#] (ACH-004571 (Excerpt))”. In other words, Purple represented that these were accurate “enlargements” of excerpts from the original, native spreadsheet produced by Achieve.

30. After further questioning, Mr. Monahan testified repeatedly that he didn't recognize the information in the recipient email addresses in the "Recipients in Cc line" column in Exhibit 195 and didn't know how it got there. *See, e.g.*, Ex. 1, Tr. 62:19-64:29, 65:4-67:8.

31. Counsel for GhostBed then cross-examined Mr. Werner about Exhibit 195. Referring again to the first row in the table, the "Steve Hergert" entry [*see, e.g.*, Ex. 1 at 195.2], the following exchange took place:

MR. MAGLEBY: Let me show you an exhibit that we looked at earlier today. It is Exhibit 195. It is a spreadsheet. It is kind of hard to read. I am going to pull it up here. Are you aware of an Achieve system by which notice is provided of posts or comments in relation to the Honest Mattress Reviews website?

A. No.

Q. You are not aware of that?

A. No.

\*\*\*

Q. Here, Mr. Werner, the subject or title says Steve Herger commented on a link Honest Mattress Reviews shared, and then it says sender or created by Facebook, and then it says recipient in the to line, and Ryan Monahan and Achieve Agency.

Then I am going to take you over a little further and blow it up. Then it has a sent date, and in this case it is October 20th, 2016, a summary, and then recipients in the c.c line. Down here under recipients in the c.c. line right here it has Ashley Werner. That is your daughter; is that right?

A. That is correct.

Q. It also has Alan Hirschhorn at Nature's Sleep. Is Mr. Hirschhorn an employee of Nature's Sleep?

A. Yes.

Q. Having walked through this, does any of this refresh your recollection as to whether you would receive e-mails through the Achieve system on various topics?

A. I don't really understand the question.[]

Ex. 1, Tr. 123:21-125:6 (emphasis added).

32. Like Mr. Monahan, Mr. Werner expressed confusion about Exhibit 195. In response, counsel for GhostBed then asked Mr. Werner to look at "Exhibit 195-A"—the actual, native Excel spreadsheet produced by Purple on CD-ROM, and referred him to an entry not shown in Purple's Exhibit 195. Ex. 1, Tr. at 196:8-16.

33. Counsel for GhostBed then asked Mr. Werner to compare the entry in the native Excel spreadsheet to an actual email produced by GhostBed, to show that Exhibit 195 accurately reflects the emails at issue:

MR. MAGLEBY: That is the same language that we saw in this e-mail that was actually produced by GhostBed, isn't it?

A. That yellow highlighted copy is in that spreadsheet.

Q. Yes. Does that indicate to you that in any way maybe this spreadsheet actually tracks e-mails that go through the Achieve e-mail system?

A. Not at all.

Q. All right.

Ex. 1, Tr. at 196:14-21.

34. Relying on false information in Exhibit 195, counsel for Purple challenged and cross-examined Mr. Werner and Mr. Monahan on a critical issue in this case—whether there are relevant or material connections between HMR and GhostBed. Ex. 1, Tr. at 62:8-67:8; 123:21-130:9; 196:1-21. But because Exhibit 195 incorrectly states that individuals at GhostBed or Nature’s Sleep were copied on those emails when they were not, Purple’s Exhibit 195 does not support this allegation.

**Purple’s Continuing Demands to GhostBed to Produce the Emails**

35. In an email sent shortly after the hearing, counsel for Purple insisted that the “spreadsheet contains references to dozens (if not hundreds) of emails sent or received by employees of GhostBed/Nature’s Sleep that relate to Honest Mattress Reviews,” and demanded that GhostBed produce these emails. Attached as **Exhibit 4** is a true and correct copy of the e-mail chain containing referenced e-mail dated September 20, 2017.

36. GhostBed’s counsel expressed skepticism about the spreadsheet’s veracity and advised it was going to investigate. This referenced e-mail dated September 28, 2017 is contained in Exhibit 4.

37. Despite GhostBed’s counsel’s concern about the accuracy of Exhibit 195, Purple’s counsel nevertheless insisted on Exhibit 195’s accuracy and demanded immediate production of the referenced e-mails. This referenced e-mail dated September 28, 2017 is contained in Exhibit 4.

**I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.**

DATED this 17<sup>th</sup> day of November, 2017.

/s/ Juliette P. White

Juliette P. White



**CERTIFICATE OF SERVICE**

I hereby certify that on the 17th day of November 2017, I caused to be electronically filed the foregoing with the Court by CM/ECF and the Court will send electronic notification to all counsel.

/s/ Juliette P. White